



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT)	PDC CASE NO: 07-010
ACTION AGAINST)	
)	Notice of Administrative
Kwame Wyking Garrett)	Charges
)	
Respondent.)	
)	

IT IS ALLEGED as follows:

I. JURISDICTION

Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Act, Chapter 34.05, Administrative Procedure Act, and Title 390 WAC.

II. ALLEGATIONS

Staff alleges, based on the facts specified in Section III, that Kwame Wyking Garrett has violated RCW 42.17.040 by failing to file the Candidate Registration Statement (PDC form C-1) and RCW 42.17.240 by failing to file the Statement of Financial Affairs (PDC form F-1), both due within two weeks of filing his Declaration of Candidacy for the 2006 election, or no later than August 14, 2006. In accordance with WAC 390-37-165 (copy enclosed) this matter is being considered by the full commission.

III. FACTS SUPPORTING ALLEGATIONS

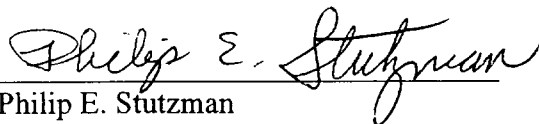
The Respondent, Kwame Wyking Garrett, is a candidate in 2006 seeking the office of State Representative in the 37th Legislative District, 1412 24th Avenue, Post Office Box 22328, Seattle, Washington, 98122.



The Respondent filed a Declaration of Candidacy with the Office of King County Elections on August 1, 2006, and paid the filing fee of \$352.54. **(Exhibit 1)** On August 15, 2006, the Respondent was sent a letter stating that the C-1 and F-1 report due within two weeks of his becoming a candidate or no later than August 14, 2006, had not been received. The letter stated that to avoid the possibility of enforcement, the C-1 and F-1 reports needed to be filed by August 28, 2006. **(Exhibit 2)** The C-1 and F-1 reports have not been filed.

Past History –The Respondent has one prior violation for failing to file the required C-1 and F-1 reports in 2004 as a candidate for State Representative in the 37th Legislative District. In Case #05-047, at a brief enforcement hearing held September 9, 2004, the Respondent was found in violation of RCW 42.17.040 and RCW 42.17.240 for failing to file the C-1 and F-1 reports as required within two weeks of becoming a candidate and was assessed a penalty of \$300. The penalty has not been paid and the C-1 and F-1 reports were not filed. On May 8, 2006, the Public Disclosure Commission referred the unpaid penalty in PDC Case #05-047 to the Attorney General of Washington's Office for collection.

RESPECTFULLY SUBMITTED this 15th day of September, 2006.



Philip E. Stutzman
Director of Compliance

Exhibits

Exhibit 1	Declaration of Candidacy
Exhibit 2	August 15, 2006 Warning Letter
Enclosure	WAC 390-37-165

Relevant Statutes

RCW 42.17.040 requires candidates, within two weeks after becoming a candidate to file a statement of organization.

RCW 42.17.240 Elected and appointed officials, candidates, and appointees—Reports of financial affairs, states in part: “(2) Every candidate shall within two weeks of becoming a candidate file with the commission a statement of financial affairs for the preceding twelve months.”

RCW 42.17.241 details the content required in each report.

WAC 390-37-165 Statement of financial affairs (F-1) penalty schedule, states in part that on the fourth occasion (established violation) the matter shall be considered by the full commission.